

**ORIGINAL**

STANTON / S

**Exhibit D**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LYONS PARTNERSHIP, L.P. and HIT  
ENTERTAINMENT, INC.

Plaintiffs,

v.

PARTY ART PRODUCTIONS INC., ROBERTA  
HERMAN, PHILIP HERMAN, PARTY POOPERS,  
INC., MARLA MASE, 57TH STREET PARTY  
CORP. D/B/A SAVE THE DATE, JENNIFER  
GILBERT, THE MAGIC AGENCY INC., SHELLEY  
CARROLL, and ERIC SILVEY D/B/A ERIC SILVEY  
ENTERTAINMENT,

Defendants.  
-----X

07 Civ. 7121 (LLS)(THK)

**STIPULATED DISMISSAL  
WITH PREJUDICE**

WHEREAS, Lyons Partnership, L.P. and HIT Entertainment, Inc. (collectively, "Plaintiffs") and Defendants Party Poopers, Inc. and Marla Mase (collectively, the "Party Poopers Defendants") have settled the above-captioned matter; and

WHEREAS, this Court has ordered entry of a Stipulated Permanent Injunction against the Party Poopers Defendants;

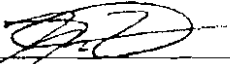
IT IS HEREBY STIPULATED by and between Plaintiffs, through their counsel, and the Party Poopers Defendants that the Party Poopers Defendants shall be dismissed with prejudice from Plaintiffs' Complaint pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, with each party to bear its own costs and attorney's fees.

IT IS FURTHER STIPULATED that the Honorable Louis L. Stanton, United States District Judge, or his successor shall retain jurisdiction to enforce the Settlement

Agreement between Plaintiffs and the Party Poopers Defendants and the Stipulated Permanent Injunction.

**IT IS SO STIPULATED:**

COWAN, DEBAETS, ABRAHAMS  
& SHEPPARD LLP


  
\_\_\_\_\_  
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Matthew A. Kaplan, Esq.

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New York, New York 10010  
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Attorneys for Plaintiffs

Dated: 5/30/08

ROBINSON BROG LEINWAND GREENE  
GENOVESE & GLUCK, P.C.

  
\_\_\_\_\_  
Gary P. Adelman, Esq.

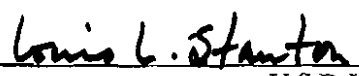
1345 Avenue of the Americas, 31st Floor  
New York, New York 10105  
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Attorneys for Defendants Party Poopers, Inc.  
& Maria Mase

Dated: 6/19/08

**SO ORDERED**

Dated: June 3, 2008

  
\_\_\_\_\_  
HON. \_\_\_\_\_, U.S.D.J.